

PD020075

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The Examiner appears to have misinterpreted US 2002/0026540 to Smyers. Nowhere does Smyers show or suggest:

"issuing real time data communication from said first device to said first at least one of said plurality of second devices by means of an isochronous data communication;

issuing a second control communication from said first device to said first at least one of said plurality of second devices, said second control communication being included in said isochronous data communication",

as specifically recited in Claim 1. Rather, Smyers uses two separate isochronous channels: one for data, and one for communications and control. See paragraph 0023, lines 1 to 6, and paragraph 0034, lines 11 to 13. It is therefore clear that Smyers does *not* include second control communications in the isochronous data communications, as recited in Claim 1, and that therefore Smyers does not affect the patentability of Claim 1.

Similarly nowhere does Smyers show or suggest:

"issuing real time data communication from said first device to said first at least one of said plurality of second devices by means of an isochronous data communication, issuing a second control communication from said first device to said first at least one of said plurality of second devices, said second control communication being included in said isochronous data communication",

as specifically recited in Claim 7. Rather, as pointed out above, Smyers uses separate isochronous channels for data and control communications. It is therefore clear that Smyers does not affect the patentability of Claim 7.

Claims 3 to 6 are dependent from Claim 1 and add further advantageous features. The Applicant submits that these subclaims are patentable as their parent Claim 1.

Similarly, Claims 8 to 11 are dependent from Claim 7 and add further advantageous features. The Applicant submits that these subclaims are patentable as their parent Claim 7.

The Examiner has only applied the references Fergusson and Riddle to the subclaims. However, even if the subject matter of Fergusson and Riddle were to be combined with the subject matter of Smyers, the instant invention

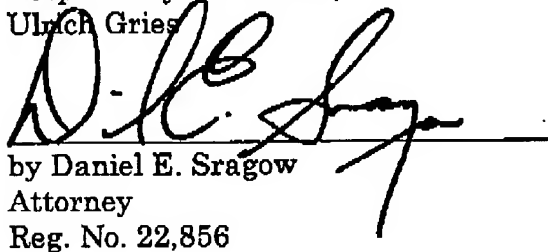
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would not be obtained. Such a combination would not have both data communication and control communication in the same isochronous channel. Rather the combination would use separate isochronous channels for data communication and control communication.

The Applicant has reviewed US 2004/0174431 to Stienstra, which has been cited but not applied. The Applicant submits that Stienstra is no more pertinent to the claimed invention than the references that have been applied.

The Applicant submits that the application is now in condition for allowance. A notice to that effect is respectfully solicited.

Respectfully submitted,
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